

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ZACHARIAS WEISHUHN, Plaintiff, v. COMMISSIONER OF SOCIAL SECURITY, Defendant.	2:19-cv-13258 HON. TERRENCE G. BERG HON. DAVID R. GRAND ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NOS. 11, 13)
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This matter is before the Court on Magistrate Judge David R. Grand's November 12, 2020 Report and Recommendation (ECF No. 20) recommending that Defendant's Motion for Summary Judgment (ECF No. 13) be **DENIED**, Plaintiff's Motion for Summary Judgment (ECF No. 11) be **GRANTED**, and that, pursuant to sentence four of 42 U.S.C. § 405(g), this case be **REMANDED** to the ALJ for further proceedings consistent with this Recommendation.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to

the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of November 12, 2020 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Grand's Report and Recommendation of November 12, 2020 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 13) be **DENIED**, Plaintiff's Motion for Summary Judgment (ECF No. 11) be **GRANTED** and that, pursuant to sentence four of 42 U.S.C. § 405(g), this case be **REMANDED** to the ALJ for further proceedings consistent with this Recommendation.

SO ORDERED.

Dated: December 9, 2020 s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE